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10/27-106

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Chris Carmichael, et al. Art Unit : 2876  
Serial No.: 09/493,756 Examiner : Jared Fureman  
Filed : January 28, 2000  
Title : MULTI-APPLICATION SMART CARD WITH CURRENCY EXCHANGE,  
LOCATION TRACKING, AND PERSONAL IDENTIFICATION  
CAPABILITES

**MAIL STOP PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR §1.137(a)  
TO REVIVE UNAVOIDABLY ABANDONED APPLICATION

Pursuant to 37 CFR §1.137(a), and in response to the Notice of Abandonment mailed January 29, 2003, applicants hereby petition to revive the abandoned application. The application was abandoned for failure to respond to the June 20, 2002 Official Action.

Enclosed is a proposed response to the Official Action to continue prosecution of the application. Applicants submit that the entire period of delay was unavoidable.

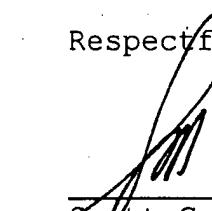
Please apply the \$250 petition fee by a small entity as set forth in 37 CFR §1.17(l), and any other applicable charges or credits, to Deposit Account No. 06 1050.

As evidenced by the attached declaration of Connie Jordan (previously Connie Carmichael), the applicants attempted diligently to ascertain the status of the application and

continue its prosecution. As further evidenced from the attached declaration, this is much more than merely having sent documents to the wrong address. The applicant could not have been expected to foresee that the Lyon & Lyon law firm would dissolve, or that patentee's choice of another firm would be unwilling and/or unable to represent them.

Applicants could also not have been expected to foresee that their second law firm would be unable to proceed without the contents of the entire file. This sequence of events is quite simply beyond what a normal person exercising ordinary care would expect. As evidenced from the attached declaration, the applicants used reasonable care, and over the many years, continually attempted to obtain copies of the files and to obtain new attorneys to handle the files. Under the circumstances, the abandonment must be considered unavoidable.

Respectfully submitted,

  
\_\_\_\_\_  
Scott C. Harris  
Reg. No. 32,030

Date: October 27, 2006

Fish & Richardson P.C.  
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